

BUSINESS REPORT

**MONTANA HOUSE OF REPRESENTATIVES
61st LEGISLATURE - REGULAR SESSION**

HOUSE BUSINESS AND LABOR COMMITTEE

Date: Monday, February 16, 2009
Place: Capitol

Time: 9:00 am
Room: 172

BILLS and RESOLUTIONS HEARD:

Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Add Postponed (PP) when appropriate:

HB 444, HB 481

HB 542 HB 587 _____

HB 565 _____

EXECUTIVE ACTION TAKEN:

Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Enter P(pass) F(failed) DPAA (do pass as amended) BC(be concurred in) BCAA (be concurred in as amended):


HB 284 Tabled _____

HB 323 Tie _____

HB 408 Tabled _____

HB 451 Pass _____

COMMENTS:



REP. Bill Wilson, Chairman

HOUSE OF REPRESENTATIVES
Roll Call
BUSINESS AND LABOR COMMITTEE

DATE: 2-16-09

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
Rep. Michele Reinhardt	X	
Rep. Bill Beck	X	
Rep. Elsie Arntzen	X	
Rep. Shannon Augare	X	
Rep. Paul Beck	X	
Rep. Tom Berry	X	
Rep. Carlie Boland	X	
Rep. John Fleming	X	
Rep. Timothy Furey	X	
Rep. Chuck Hunter	X	
Rep. Harry Klock	X	
Rep. Mike Milburn	X	
Rep. Pat Noonan	X	
Rep. Scott Reichner	X	
Rep. Cary Smith	X	
Rep. Gordon Vance	X	
Rep. Jeffery Welborn	X	
Rep. Bill Wilson	X	



HOUSE STANDING COMMITTEE REPORT

February 16, 2009

Page 1 of 1

Mr. Speaker:

We, your committee on **Business and Labor** recommend that **House Bill 451** (first reading copy – white) **do pass as amended.**

Signed: *Bill Wilson*
Representative Bill Wilson, Chair

And, that such amendments read:

1. Page 1, line 13.

Strike: "\$100,000"

Insert: "\$25,000"

2. Page 1, line 22.

Following: "inspections"

Insert: "and tests"

3. Page 1, line 25.

Following: "inspections"

Insert: "and tests"

4. Page 1, line 26 through line 27.

Following: "necessary"

Strike: "and" on line 26 through "project" on line 27

5. Page 2, line 11.

Following: "inspections"

Insert: "and tests"

- END -

Committee Vote:

Yes 14, No 4

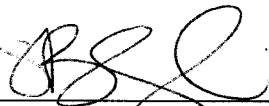
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HB0451001SC.hjd


COMMITTEE FILE COPY

TABLED BILL

The **HOUSE BUSINESS AND LABOR COMMITTEE** TABLED **HB 284, HB 408**, by motion, on **Monday, February 16, 2009**.



(For the Committee)



(Chief Clerk of the House)

_____/_____
(Time) (Date)

February 16, 2009

Santella Baglivo, Secretary

Phone: 4457

HOUSE OF REPRESENTATIVES
Roll Call Vote
BUSINESS AND LABOR COMMITTEE

DATE 2/16/09 BILL NO HB 284 MOTION NO. _____

MOTION: Amendment # 084.01, abc

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
Rep. Michele Reinhart	/		
Rep. Bill Beck		/	
Rep. Elsie Arntzen		/	
Rep. Shannon Augare	/		
Rep. Paul Beck	/		
Rep. Tom Berry		/	/
Rep. Carlie Boland	/		
Rep. John Fleming	/		
Rep. Timothy Furey	/		
Rep. Chuck Hunter	/		
Rep. Harry Klock		/	
Rep. Mike Milburn		/	
Rep. Pat Noonan	/		
Rep. Scott Reichner		/	
Rep. Cary Smith		/	
Rep. Gordon Vance		/	
Rep. Jeffery Welborn		/	
Rep. Bill Wilson	/		

HOUSE OF REPRESENTATIVES
Roll Call Vote
BUSINESS AND LABOR COMMITTEE

DATE 2/16/09 BILL NO HB284 MOTION NO. _____
 MOTION: _____

DO PASS

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
Rep. Michele Reinhart	X		
Rep. Bill Beck		X	
Rep. Elsie Arntzen		X	
Rep. Shannon Augare	X		
Rep. Paul Beck	X	X	
Rep. Tom Berry		X	X
Rep. Carlie Boland	X		
Rep. John Fleming		X	
Rep. Timothy Furey		X	
Rep. Chuck Hunter	X		
Rep. Harry Klock		X	
Rep. Mike Milburn		X	
Rep. Pat Noonan	X		
Rep. Scott Reichner		X	
Rep. Cary Smith		X	
Rep. Gordon Vance		X	
Rep. Jeffery Welborn		X	
Rep. Bill Wilson	X		

6-12

Tabled

HOUSE OF REPRESENTATIVES
Roll Call Vote
BUSINESS AND LABOR COMMITTEE

DATE 2/16/09 BILL NO HB323 MOTION NO. _____

MOTION: _____

Do Pass as Amended

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
Rep. Michele Reinhart		/	
Rep. Bill Beck	/		
Rep. Elsie Arntzen	/		
Rep. Shannon Augare		/	
Rep. Paul Beck		/	
Rep. Tom Berry	/		/
Rep. Carlie Boland		/	
Rep. John Fleming		/	
Rep. Timothy Furey		/	
Rep. Chuck Hunter		/	
Rep. Harry Klock	/		
Rep. Mike Milburn	/		
Rep. Pat Noonan		/	
Rep. Scott Reichner	/		
Rep. Cary Smith	/		
Rep. Gordon Vance	/		
Rep. Jeffery Welborn	/		
Rep. Bill Wilson		/	

9-9
Tie

HOUSE OF REPRESENTATIVES
Roll Call Vote
BUSINESS AND LABOR COMMITTEE

DATE 2/16/09 BILL NO HB 408 MOTION NO. _____
 MOTION: _____

Do Pass

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
Rep. Michele Reinhardt	/		
Rep. Bill Beck		/	
Rep. Elsie Arntzen		/	
Rep. Shannon Augare	/		
Rep. Paul Beck		/	
Rep. Tom Berry		/	
Rep. Carlie Boland	/		
Rep. John Fleming		/	
Rep. Timothy Furey	/		
Rep. Chuck Hunter		/	
Rep. Harry Klock	/		
Rep. Mike Milburn		/	
Rep. Pat Noonan	/		
Rep. Scott Reichner		/	
Rep. Cary Smith		/	
Rep. Gordon Vance		/	
Rep. Jeffery Welborn	/		
Rep. Bill Wilson	/		

8-10

Tabled

HOUSE OF REPRESENTATIVES
Roll Call Vote
BUSINESS AND LABOR COMMITTEE

DATE 2/16/09 BILL NO HB 451 MOTION NO. _____
 MOTION: _____

Conceptual

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
Rep. Michele Reinhart	/		
Rep. Bill Beck	/		
Rep. Elsie Arntzen	/		
Rep. Shannon Augare	/		
Rep. Paul Beck	/		
Rep. Tom Berry	/		
Rep. Carlie Boland	/		
Rep. John Fleming	/		
Rep. Timothy Furey	/		
Rep. Chuck Hunter	/		
Rep. Harry Klock	/		
Rep. Mike Milburn		/	
Rep. Pat Noonan	/		
Rep. Scott Reichner		/	
Rep. Cary Smith		/	
Rep. Gordon Vance		/	
Rep. Jeffery Welborn		/	
Rep. Bill Wilson	/		

13-5

HOUSE OF REPRESENTATIVES
Roll Call Vote
BUSINESS AND LABOR COMMITTEE

DATE 2/16/08 BILL NO HB 451 MOTION NO. _____
 MOTION: _____

~~Roll Call Vote~~ Amended HB 451 01. abc

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
Rep. Michele Reinhart	/		
Rep. Bill Beck	/		
Rep. Elsie Arntzen	/		
Rep. Shannon Augare	/		
Rep. Paul Beck	/		
Rep. Tom Berry	/		
Rep. Carlie Boland	/		
Rep. John Fleming	/		
Rep. Timothy Furey	/		
Rep. Chuck Hunter	/		
Rep. Harry Klock	/		
Rep. Mike Milburn	/		
Rep. Pat Noonan	/		
Rep. Scott Reichner	/		
Rep. Cary Smith	/		
Rep. Gordon Vance	/		
Rep. Jeffery Welborn	/		
Rep. Bill Wilson	/		

AUTHORIZED COMMITTEE PROXY

I request to be excused from the Business & Labor

Committee because of other commitments. I desire to leave my proxy vote with:

Rep. Eric Dub

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT

AYE NO

HB - 284		✓
HB - 323		✓
HB - 408		

BILL/AMENDMENT

AYE NO

Rep. Jim Dwyer
(Signature)

Date Feb 16, 2009

**Montana House of Representatives
Visitors Register**

BUSINESS AND LABOR COMMITTEE

Date 2/16

Bill No. HB 444 Sponsor(s) Rep. Kottel

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Name and Address	Representing	Support	Oppose	Inf.
Joseph Allen	IBEW 233	X		
Terry Minow	MEA-MET	X		
Jerry Kirk	Dept. of Labor	X		
Jim Stone	TEAMsters	X		
JASON Miller	Teamsters	X		
Robert Johnson	MT AFL-CIO	X		
Steve Gross	IAOE 400	X		
Harold Blatter	MACC		X	
J.D. Lynch	MT State Bd of Trades	X		
Margaret Morgan	IEC		X	
Pete Johnson	NKIB		X	
Robert Bergsine	SMWIA Local 103	X		
Tom Ravanna	SIF		X	
Randa Wilkerson	MT City Trns Assoc		X	
W. Ellwood	UUPH 100	X		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

**Montana House of Representatives
Visitors Register**

BUSINESS AND LABOR COMMITTEE

Date 2/16

Bill No. HB 481 Sponsor(s) Rep. Hendrick

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Name and Address	Representing	Support	Oppose	Inf.
LEONARD LUNDBY	MONTANA FIRE ALLIANCE	X		
John Semple	Montana Fire Alliance	X		
Jerry Kerk	Dept. of labor			X
Robert Johnson	MT AFL-CIO	X		
Bob Westhigley	MT DFL		X	
Bruce Charles	West End P&B	X		
Jacqueline Denmark	Am. Ind. Assn		X	
Bruce Specker/SL	PCIAA		X	
Nancy Butler	MT State Fund		X	
HAROLD BLATTIE	MACO		X	

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

**Montana House of Representatives
Visitors Register**

BUSINESS AND LABOR COMMITTEE

Date 2/16

Bill No. AB 565 **Sponsor(s)** Rep. Foley

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Name and Address	Representing	Support	Oppose	Inf.
Charlie Cromwell	Veterans	X		
FRANK COPE	BCBS MT	X		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

**Montana House of Representatives
Visitors Register**

BUSINESS AND LABOR COMMITTEE

Date 2/16

Bill No. HB 587 **Sponsor(s)** Rep Howard

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Name and Address	Representing	Support	Oppose	Inf.
SHAHID HAQUE-HANSRATH, GSE.			X	
MARY BEVELIDGE	SELF	X		
Jamie Greer	Human Rights NW		X	

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

Amendments to House Bill No. 450
1st Reading Copy

EXHIBIT 7
DATE 2-16-09
HB 450

Requested by Representative Julie French

For the House Business and Labor Committee

Prepared by Bartley Campbell
February 11, 2009 (2:42pm)

1. Title, line 6 through line 8.
Strike: "EXTENDING" on line 6 through "MCA;" on line 8
2. Title, line 8.
Following: "SECTIONS"
Insert: "2-18-1001,"
3. Title, line 9.
Following: "2-18-1002"
Insert: ", "
4. Page 1, line 22 through line 29.
Following: "section" on line 22
Strike: "that" on line 9 through "agreements." on line 29
Insert: ", an employee shall exhaust all available internal administrative remedies and upon exhaustion of all internal administrative remedies or if there are no internal administrative remedies available, the employee may seek relief in district court."
5. Page 2, line 1 through page 3, line 4.
Strike: sections 2 through 4 in their entirety
Renumber: subsequent sections
6. Page 3, line 6.
Following: "Sections"
Insert: "2-18-1001,"
Following: "2-18-1002"
Insert: ", "

- END -

Amendments to House Bill No. 452
1st Reading Copy

Requested by Representative Pat Noonan

For the House Business and Labor Committee

Prepared by Bartley Campbell
February 16, 2009 (6:36am)

1. Page 1, following line 16.

Insert: "(2) A signed claim for workers' compensation or occupational disease benefits authorizes disclosure to the workers' compensation insurer, as defined in 39-71-116, or to the agent of a workers' compensation insurer by the health care provider. The disclosure authorized by this subsection authorizes the physician or other health care provider to disclose or release only information relevant to the claimant's condition. Health care information relevant to the claimant's condition may include past history of the complaints of or the treatment of a condition that is similar to that presented in the claim, conditions for which benefits are subsequently claimed, other conditions related to the same body part, or conditions that may affect recovery. A release of information related to workers' compensation must be consistent with the provisions of this subsection. Authorization under this section is effective only as long as the claimant is claiming benefits. This subsection may not be construed to restrict the scope of discovery or disclosure of health care information, as allowed under the Montana Rules of Civil Procedure, by the workers' compensation court or as otherwise provided by law."

Renumber: subsequent subsection

- END -

Amendments to House Bill No. 481
1st Reading Copy

Requested by Representative Gordon Hendrick

For the House Business and Labor Committee

Prepared by Bartley Campbell
February 16, 2009 (6:39am)

1. Page 2, line 24.

Following: "cost to"

Insert: "themselves or"

2. Page 5, line 6.

Following: "attached"

Insert: "or otherwise connected"

3. Page 6, line 18.

Following: "(c)"

Strike: "Benefits"

Insert: "For the purposes of compensation, based on the
assumption that the volunteer firefighter has been earining
the statewide average wage for the 12 months preceding the
injury, benefits"

4. Page 8, line 5.

Following: "(c)"

Strike: "Benefits"

Insert: "For the purposes of compensation, based on the
assumption that the volunteer emergency medical technician
has been earining the statewide average wage for the 12
months preceding the injury, benefits"

- END -

Amendments to House Bill No. 565
1st Reading Copy

Requested by Representative Timothy Furey

For the House Business and Labor Committee

Prepared by Bartley Campbell
February 16, 2009 (6:31am)

1. Title, line 5.

Strike: "AND OTHER COSTS"

2. Page 1, line 19.

Following: "reimburse"

Strike: "any enrollment fees,"

Following: "premiums"

Strike: ", "

3. Page 1, line 20.

Strike: "deductibles, cost-sharing expenses, copayments, or other expenses that would otherwise have to be"

4. Page 2, line 2.

Following: "select"

Insert: "on or after July 1, 2009"

5. Page 2, line 30 through page 3, line 1.

Strike: "enrollment" on page 2, line 30 through "expenses" on page 3, line 1

Strike: "premiums"

- END -